

REMARKS

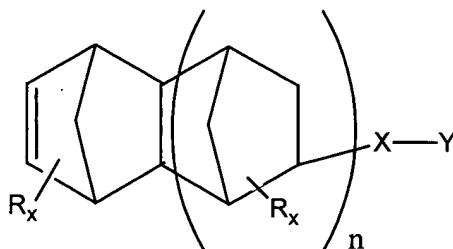
Claims 1 and 3-42 remain pending in this application.

Claims 1, 3-22 and 30-42 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,455,650 (Lipian) for the reasons given at pages 3-4 of the Office Action mailed September 24, 2004.

Applicants acknowledge with thanks however the indication in the Action that the Section 102(e) rejection of Claims 23-29 as allegedly being anticipated by the '650 patent has been withdrawn. Applicants understand therefore that apart from the obviousness type double patenting rejection addressed below, these claims would be allowable.

Applicants traverse the bases of the Section 102(e) rejection that has been maintained.

For the Examiner's review, the invention as defined for instance by Claim 1 provides for a heterobifunctional monomer of the following structure:



In this structure, each R is independently lower alkyl, -Br, or -I, X is a covalent bond or a bridging group containing more than one carbon atom, and is selected from hydrocarbylene, substituted hydrocarbylene, heteroatom-containing hydrocarbylene, substituted heteroatom-containing hydrocarbylene, polysiloxane, polysiloxane-polyurethane block copolymer, and combinations of two or more thereof, optionally containing one or more linkers selected from a covalent bond, -O-, -S-, -NR-, -O-C(O)-, -O-C(O)-O-, -O-C(O)-NR-, -NR-C(O)-, -NR-C(O)-O-, -NR-C(O)-NR-, -S-C(O)-, -S-C(O)-O-, -S-C(O)-NR-, -S(O)-, -S(O)₂-, -O-S(O)₂-, -O-S(O)₂-O-, -O-S(O)₂-NR-, -O-S(O)-, -O-S(O)-O-, -O-S(O)-NR-, -O-NR-C(O)-, -O-NR-C(O)-O-, -O-NR-C(O)-NR-, -NR-O-C(O)-, -NR-O-C(O)-O-, -NR-O-C(O)-NR-, -O-NR-C(S)-, -O-NR-C(S)-O-, -O-NR-C(S)-NR-, -NR-O-C(S)-, -NR-O-C(S)-O-, -NR-O-C(S)-NR-, -O-C(S)-, -O-C(S)-O-, -O-C(S)-NR-, -NR-C(S)-, -NR-C(S)-O-, -NR-C(S)-NR-, -S-S(O)₂-, -S-S(O)₂-O-, -S-S(O)₂-NR-, -NR-O-S(O)-, -NR-O-S(O)-O-, -NR-O-S(O)-NR-, -NR-O-S(O)₂-, -NR-O-S(O)₂-O-, -NR-O-S(O)₂-NR-, -O-NR-S(O)-, -O-NR-S(O)-O-, -O-NR-S(O)-NR-, -O-NR-S(O)₂-O-, -O-NR-S(O)₂-NR-, -O-NR-S(O)₂-, -O-P(O)R₂-, -S-P(O)R₂-, -NR-P(O)R₂-, wherein each R is independently hydrogen, alkyl or substituted alkyl, and combinations of any two or more thereof.

Significantly, Y is a maleimide, a nadimide, an itaconimide, an epoxy, a cyanate ester-substituted aryl, a propargyl-substituted aryl, an ethynyl-substituted aryl, a (meth)acrylate, an unsaturated anhydride, a vinyl ether, a vinyl ester, a divinyl compound, an allyl amide, a styrene, an oxazoline, or a benzoxazine, n is 0 to about 8, and each x is independently 0, 1, or 2.

In contrast, the general object of U.S. Patent No. 6,455,650 is to provide a polymerizable polycycloolefin composition comprising a high activity catalyst system.

While the '650 patent provides many objects and a way in which to achieve those objects, that patent document does not disclose, teach or suggest the invention defined by Claim 1 or the remaining independent claims. Moreover, looking at that '650 patent would not motivate one of ordinary skill in the art to even try to reach the invention defined by the claims of the subject application.

Applicants have studied the '650 patent, particularly structures VII and VII(a) and the relevant disclosure at columns 29 to 32. After such study and comparison to the pending claims, Applicants fail to see how the '650 patent satisfies each and every element of those claims. Of course, it is elementary that in order to be an effective Section 102

reference, the document cited as such a reference must disclose each and every element of the claims under examination. Here, that has not happened.

In fact, Applicants fail to see where in those portions of the '650 patent there is any relevant disclosure to be compared to element "Y" of Claim 1. That is, Y is a maleimide, a nadimide, an itaconimide, an epoxy, a cyanate ester-substituted aryl, a propargyl-substituted aryl, an ethynyl-substituted aryl, a (meth)acrylate, an unsaturated anhydride, a vinyl ether, a vinyl ester, a divinyl compound, an allyl amide, a styrene, an oxazoline, or a benzoxazine. Nowhere in those portions of the '650 patent cited by the Examiner are such functionality disclosed.

It appears that the Examiner has been comforted by the general norbornenyl structure of the '650 patent, but has failed to consider the remaining definitions set forth in Claim 1, particularly the definition of element "Y".

Accordingly, the Sections 102 rejections should no longer be maintained and withdrawal thereof is requested.

Under the judicially created doctrine of obviousness-type double patenting, Claims 1-42 stand rejected as allegedly being unpatentable over Claims 1-37 of U.S. Patent No. 6,423,780.

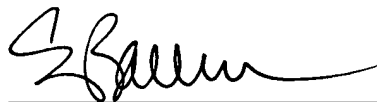
Application No. 10/612,545
Request for Reconsideration dated March 21, 2005
Reply to Office Action of February 7, 2005

Applicants have prepared and submit herewith a Terminal Disclaimer to disclaim the terminal portion of any patent issuing upon this application.

This paper represents an earnest attempt at advancing prosecution on the merits, and thus Applicants respectfully submit that entry thereof is proper. Applicants also request that the next communication from the Examiner be in the form of a Notice of Allowability.

Applicants' undersigned attorney may be reached by telephone at (860) 571-5001, by facsimile at (860) 571-5028, or by email at steve.bauman@us.henkel.com. All correspondence should continue to be directed to the address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Bauman', is written over a horizontal line.

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